

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

HENDRIK BLOCK,

Plaintiff,

v.

MOHAMED NASSER SALEM,
individually and dba QUICK MART,

Defendant.

No. 1:22-cv-01596 JLT BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DECLINING
SUPPLEMENTAL JURISDICTION AND
DISMISSING PLAINTIFF'S STATE LAW
CLAIMS WITHOUT PREJUDICE

(Doc. 11)

Hendrik Block seeks to hold the defendants liable for violations of Title III of the Americans with Disabilities Act, California's Unruh Act, and California Health and Safety Code §§ 19955, 19959. (Doc. 1.) On April 13, 2023, the assigned magistrate judge issued Findings and Recommendations, recommending the Court decline to exercise supplemental jurisdiction over Plaintiff's state law claims and dismiss the claims without prejudice pursuant to 28 U.S.C. § 1367(c)(4). (Doc. 11.)

The Court served the Findings and Recommendations on Plaintiff¹ on April 13, 2023. Plaintiff was granted 14 days to file any objections. (Doc. 11 at 7.) Plaintiff was also informed "failure to file objections within the specified time may result in the waiver of the 'right to challenge the magistrate's factual findings' on appeal." (*Id.*, quoting *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) No objections were filed, and the identified deadline has passed.

¹ Defendant has not appeared in this action and default was entered against Defendant on March 20, 2023 (Doc. 8.)

1 According to 28 U.S.C. § 636 (b)(1)(c), this Court conducted a *de novo* review of the case.
2 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations
3 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 4 1. The Findings and Recommendations issued on April 13, 2023 (Doc. 11) are
5 **ADOPTED** in full.
- 6 2. The Court **DECLINES** to exercise supplemental jurisdiction over Plaintiff's
7 claims arising under California's Unruh Act and Health & Safety Code.
- 8 3. Plaintiff's Unruh Act and Health & Safety Code construction-related accessibility
9 claims are **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1367(c)(4).

10
11 IT IS SO ORDERED.

12 Dated: May 2, 2023


UNITED STATES DISTRICT JUDGE